



Office of the Attorney General

State of Texas

June 1, 1992

DAN MORALES

ATTORNEY GENERAL

Mr. Geoffrey Connor
Assistant Commissioner for Legal Affairs
and General Counsel
Texas Dept. of Agriculture
P. O. Box 12847
Austin, Texas 78711

OR92-286

Dear Mr. Connor:

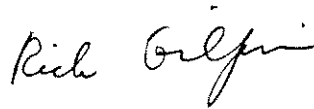
You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, article 6252-17a, V.T.C.S. Your request was assigned ID# 15785.

You sought an open records decision from this office pursuant to section 7(c) of the act. Consequently, this office notified representatives of First Quality Fruit and Produce Company, Inc. (First Quality Fruit and Produce) that we received your request for an open records decision regarding certain records pertaining to that company's financial background. In our letter to Mr. Steven Effenson, president of First Quality Fruit and Produce, this office requested an explanation as to why portions of their financial records held by the Department of Agriculture were excepted from public disclosure, with the caveat that his failure to do so within a reasonable time would result in this office instructing you to disclose the information.

More than one month has elapsed since this office issued it notice, but representatives of First Quality Fruit and Produce have failed to provide this office with any explanation as to why the requested documents should not be released. Consequently, we have no basis for applying any exceptions to required public disclosure to this information. See Open Records Decision No. 552 (1990). Because neither you nor First Quality Fruit and Produce have contended to this office that the requested information should be withheld, you should release the information at this time. If you have any

questions regarding this letter, please refer to OR92-286.

Yours very truly,



Rick Gilpin
Assistant Attorney General
Opinion Committee

RG/RWP/lmm

Ref.: ID# 15785
ID# 15841

Enclosures: Submitted documents

cc: Mr. Steven Michael Effenson
First quality Fruit and Produce Co., Inc.
3130 Produce Row
Houston, Texas 77023
(without enclosures)

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1400 Post Oak Blvd., Suite 600
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